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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : HANS PALLINGEN  
Application No. : 10/002,398  
Filed : October 25, 2001  
For : PHOTO ELECTRIC MEASURING DEVICE  
Examiner :  
Attorney's Docket : SCHSM-009XX

Group Art Unit: 2877

By: Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicant



## INFORMATION DISCLOSURE STATEMENT

**COPY OF PAPERS  
ORIGINALLY FILED**

Commissioner for Patents  
Washington, D.C. 20231

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It is desired to cite for the record in this application the enclosed references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above identified application. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

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[ ] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

[ ] a statement under 37 CFR § 1.97(e); or

[ ] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

[ ] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[ ] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

[ ] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure

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Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The attached references were cited in a European Search Report (copy attached) issued in European Priority Application No. 00 126 468.8 filed December 7, 2000.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

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CLG:kmw/265271-1  
Enclosure

Date: January 15, 2002  
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Form PTO-1449 (REV. 07/01) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				ATTY. DOCKET NO. SCHSM-009XX	APPLICATION NO. 10/002,398	
INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				APPLICANT: Hans Pallingen		
				FILING DATE October 25, 2001	GROUP 2877	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	5,966,205	10/12/1999	Jung, et al.			
	5,004,339	4/2/1991	Pryor, et al.			
	4,390,277	6/28/1983	Quinn			
	4,719,912	1/19/1988	Weinberg			
	4,511,248	4/16/1985	Abbas			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
	2 082 015	2/24/1982	United Kingdom			
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)						
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EXAMINER	DATE CONSIDERED					
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						